

Nº 44367

AUG 25 1981

DEC 30 1981

FEB 26 1982

FEB 26 1982

The applicant.....Marshall Earth Resources, Inc.

1 East Liberty Street, Suite 612

Nevada 89501

Incorporated in Nevada on December 3, 1979

1. The source of the proposed appropriation is underground

2. The amount of water applied for is.....1.0.

(a) If stored in reservoir give number of acre-feet.

3. The water to be used for mining, milling and domestic

4. If use is for:

- (a) Irrigation (state number of acres to be irrigated)

- (b) Stockwater (state number and kinds of animals to be watered)

- (c) Other use (describe fully under "No. 12. Remarks")

- (d) Power:**

- (1) Horsepower developed.

- (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: Within the NW $\frac{1}{4}$ NW $\frac{1}{4}$,

Section 6, T. 12 N., R. 39 E., M.D.M. or from a point from which the NE corner.

of Section 1, T. 12 N., R. 38 E., M.D.M. bears N 45° 00' W 933.0 feet

6. Place of use. NE $\frac{1}{4}$, Section 33, T. 13 N., R. 39 E., M.D.M.

7. Use will begin about January 1 and end about December 31, of each year.

Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.).....Drilled and cased well, submergible pump...

electric motor, distribution system

State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works...\$15,000.....
10. Estimated time required to construct works two years.....
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use four years.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
- Water will be used for mining and milling purposes. Annual duty not to exceed 700
acre feet per year.

By s/Harry Erickson AGENT
 Harry Erickson Signature, applicant or agent
 Compared bt/bc pr/bc 950 Industrial Way
Sparks, NV 89431

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

The total combined rate of diversion issued under Permits 35890, 44366, 44367, 46638 and 46639 shall not exceed 4.189 c.f.s.

The total combined duty of water under Permits 35890, 44366, 44367, 44368 and 44369 shall not exceed 65.18 million gallons annually.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 65.18 million gallons annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before October 17, 1986

Proof of completion of work shall be filed before November 17, 1986

Application of water to beneficial use shall be made on or before October 17, 1989

Proof of the application of water to beneficial use shall be filed on or before November 17, 1989

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed..... IN TESTIMONY WHEREOF, I, PETER G. MORROS
 Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed..... my office, this 17th day of October
 Cultural map filed.....
 Certificate No. Issued..... 10.19.84